



Heartport No. 111-CP

### POWER OF ATTORNEY BY ASSIGNEE

**HEARTPORT, INC.**, a Delaware corporation, located at 700 Bay Road, Redwood City, California 94063, is the Assignee of the invention entitled: **APPARATUS AND METHODS FOR CARDIAC SURGERY**, the specification of which was filed on January 27, 2000 and is identified as Application No. 09/492,558.

The Assignment accompanying this Power of Attorney (or filed concurrently herewith under separate cover to the attention of the Assignment Branch) has been reviewed by the undersigned. The undersigned certifies that to the best of the undersigned's knowledge and belief, title is in the Assignee.

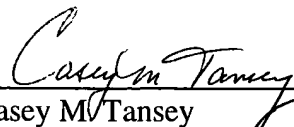
Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Jens E. Hoekendijk, Reg. No. 37,149  
James M. Heslin, Reg. No. 29,541  
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**HEARTPORT, INC.**

Date: 6/1/00

By:   
Casey M. Tansey  
President and CEO

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(c))- SMALL BUSINESS CONCERN**

Applicant or Patentee: **James R. Gannoe, Daniel M. Brounstein, Meir Moshe, Jan Komtebedde, David Evans, M.D. and Andrew H. Hancock**

Application No.: **09492,558**

Filed Or Issued: **January 27, 2000**

Title: **APPARATUS AND METHODS FOR CARDIAC SURGERY**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: **HEARTPORT, INC.**

ADDRESS OF SMALL BUSINESS CONCERN: **700 BAY ROAD; REDWOOD CITY, CA 94063**

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: **APPARATUS AND METHODS FOR CARDIAC SURGERY** by inventors **James R. Gannoe, Daniel M. Brounstein, Meir Moshe, Jan Komtebedde, David Evans, M.D. and Andrew H. Hancock**, described in the specification filed on January 27, 2000 and identified as Application No. 09/492,558.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

TITLE OF PERSON IF OTHER THAN OWNER:

ADDRESS OF PERSON SIGNING:

Casey M. Tansey

President and CEO

700 Bay Road

Redwood City, CA 94063

Date: 5/10/00

Signature: Casey M Tansey